

Tim Robinson
2104 Poppy Lane
Richardson, TX 75081

August 14, 2005

Irwin B Schwartz, Esquire
Petrie Schwartz LLP
500 Boylston Street
Suite 1860
Boston, MA 02116

Ref: IRACING.COM MOTORSPORT v TIM ROBINSON et al, Case # **1:05-cv-11639-NG**

Mr. Schwartz,

In the above entitled matter, officially served to me on August 10, 2005, it says in part that I have 20 days after the service, exclusive of the day of service, to respond to the complaint.

You have requested and been granted a TRO Motion Hearing for Wednesday August 17th, 2005 at 1100 in Courtroom 2 before Judge Nancy Gertner. The Judge apparently vacated her previous denial on the TRO. It is still hard to read the one email, and getting access to the PACER system appears to not be available at the moment.

In any event, the day and time for the TRO Motion Hearing appears to be well inside the 20 days cited on the summons, and I respectfully request that I be given the full amount of time to respond or otherwise plead. I currently do not have counsel, or the financial resources to secure counsel. A recent divorce has depleted any discretionary funds I may have had available to me. I think you will agree that you and your client being in Massachusetts, and me being in Texas also present some logistical issues as well.

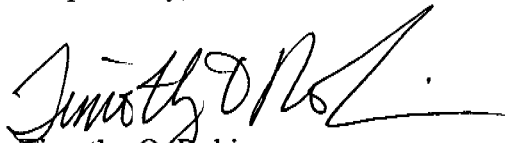
While I disagree with all of your allegations, particularly that I have violated any copyright statutes pertaining to NASCAR Racing 2003, I do respectfully maintain there

is significant legal opinion allowing reverse engineering of software under the Fair Use guidelines. Additionally, I would suggest that anything I have been party to is clearly transformative rather than derivative.

Regardless, as I communicated to you and your colleague Ms Jordan, and as evidenced by my websites, the offending files were removed immediately upon my return from an out of town trip. I am no longer violating anything, as it were, by your definition.

I am also quite sure that a reasonable settlement can be reached without the need for expending inordinate amounts of time and money by either party. I would obviously like to put this matter behind us and resolve what I believe is a largely ambiguous legal matter to begin with. Please let me know your principal's position in this matter in written form so we can both perhaps move on to more exciting things.

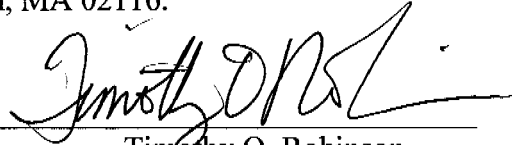
Respectfully,



Timothy O. Robinson

Certificate of Service

I, Timothy O. Robinson, pro se', hereby certify that on this 15th day of August 2005, I filed the foregoing document with Clerk of the Court and The Honorable Judge Nancy Gertner in the United States District Court for The District of Massachusetts, via United Parcel Service, and served the same by United Parcel Service to Mr Irwin B. Schwartz, 500 Boylston Street, Suite 1860, Boston, MA 02116.



Timothy O. Robinson